



General Assembly

January Session, 2019

Amendment

LCO No. 8881



Offered by:
SEN. FLEXER, 29th Dist.

To: Subst. Senate Bill No. 1103

File No. 742

Cal. No. 342

"AN ACT CONCERNING INTERAGENCY DATA SHARING."

1 Strike sections 1 to 3, inclusive, in their entirety, renumber the
2 remaining sections and internal references accordingly, and substitute
3 the following in lieu thereof:

4 "Section 1. (NEW) (*Effective from passage*) (a) The Chief Data Officer,
5 in consultation with the Attorney General and executive branch
6 agency legal counsel, shall review the legal obstacles to the sharing of
7 high value data of executive branch agencies, inventoried pursuant to
8 section 4-67p of the general statutes, among agencies and with the
9 public.

10 (b) Not later than January 15, 2020, and annually thereafter, the
11 Chief Data Officer shall submit a report, developed in consultation
12 with the Attorney General, agency data officers and executive branch
13 agency legal counsel, that includes any recommendations on (1)
14 methods to facilitate the sharing of such high value data to the extent
15 permitted under state and federal law, including, but not limited to,

16 the preparation and execution of memoranda of understanding among
17 executive branch agencies, and (2) any necessary legislation, to the
18 Connecticut Data Analysis Technology Advisory Board and the joint
19 standing committee of the General Assembly having cognizance of
20 matters relating to government administration, in accordance with the
21 provisions of section 11-4a of the general statutes. Concomitantly, the
22 Chief Data Officer shall post each such report on the Office of Policy
23 and Management's Internet web site.

24 (c) The report submitted pursuant to subsection (b) of this section
25 shall be consistent with the state data plan, created under section 4-67p
26 of the general statutes. The Chief Data Officer shall update such report
27 annually with additional information concerning the sharing of high
28 value data and any additional recommendations, including any
29 potential fiscal impact of any recommendations.

30 Sec. 2. Section 4-67o of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective from passage*):

32 As used in this section, [and] sections 2-79e, as amended by this act,
33 and 4-67p and section 1 of this act:

34 (1) "Data" means the final version of statistical or factual information
35 that: (A) Is reflected in a list, table, graph, chart or other non-narrative
36 form that can be digitally or nondigitally transmitted or processed; (B)
37 is regularly created or maintained by, or on behalf of, an executive
38 branch agency; and (C) records a measurement, transaction or
39 determination related to the mission of the agency or is provided to the
40 agency by third parties pursuant to law.

41 (2) "Executive branch agency" means any agency listed in section 4-
42 38c, except the Board of Regents for Higher Education.

43 (3) "High value data" means any data that the department head
44 determines (A) is critical to the operation of an executive branch
45 agency; (B) can increase executive branch agency accountability and
46 responsiveness; (C) can improve public knowledge of the executive

47 branch agency and its operations; (D) can further the core mission of
48 the executive branch agency; (E) can create economic opportunity; (F)
49 is frequently requested by the public; (G) responds to a need and
50 demand as identified by the agency through public consultation; or
51 (H) is used to satisfy any legislative or other reporting requirements.

52 (4) "Open data" means any data that (A) is freely available in
53 convenient and modifiable format and can be retrieved, downloaded,
54 indexed and searched; (B) is formatted in a manner that allows for
55 automated machine processing; (C) does not have restrictions
56 governing use; (D) is published with the finest possible level of detail
57 that is practicable and permitted by law; and (E) is described in
58 enough detail so users of the data have sufficient information to
59 understand (i) the strengths, weaknesses, analytical limitations and
60 security requirements of the data, and (ii) how to process such data.

61 (5) "Public data" means any data collected by an executive branch
62 agency that is permitted to be made available to the public, consistent
63 with any and all applicable laws, rules, regulations, ordinances,
64 resolutions, policies or other restrictions, requirements or rights
65 associated with the data, including, but not limited to, contractual or
66 other legal restrictions, orders or requirements.

67 (6) "Protected data" means any data the public disclosure of which
68 would (A) violate federal or state laws or regulations; (B) endanger the
69 public health, safety or welfare; (C) hinder the operation of the federal,
70 state or municipal government, including criminal and civil
71 investigations; or (D) impose an undue financial, operational or
72 administrative burden on the executive branch agency. "Protected
73 data" includes any records not required to be disclosed pursuant to
74 subsection (b) of section 1-210."

75 In line 190, after the first "board" insert "and with the concurrence of
76 the chairperson of the board."